

UNITED STATES PATENT AND TRADEMARK OFFICE

In re: U.S. Patent No. 7,539,797;

Inventors: Sam Nemazie, et al. Atty. Docket No: SILICONSTOR-03US

Filing Date: 02/09/2004 Issued: May 26, 2009

Entitled: ROUTE AWARE SERIAL ADVANCED TECHNOLOGY ATTACHMENT
 (SATA) SWITCH

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION UNDER 35 U.S.C. § 256 AND 37 C.F.R. § 1.324
TO ADD JOINT INVENTORS

Dear Sir:

It is respectfully petitioned that the above-identified patent be amended to add “Young-Ta Wu” and “Shiang-Jyh Chang” as co-inventors. The application for patent was made through error, and without any deceptive intent, exclusively in the name of co-inventors Siamack Nemazie and Andrew Hyonil Chong, as will be made apparent from the appendices attached hereto.

In support of this Petition, applicants submit the following:

- (1) Verified Statements of Fact by the joint inventors Siamack Nemazie, Andrew Hyonil Chong, Young-Ta Wu, and Shiang-Jyh Chang (Appendices A-D);
- (2) A Supplemental Declaration under 37 C.F.R. § 1.65, and a Power of Attorney to act in this matter on the behalf of all co-inventors, Siamack Nemazie, Andrew Hyonil Chong, Young-Ta Wu, and Shiang-Jyh Chang (Appendix E);
- (3) The Consent of Assignee, LSI Corporation (Appendix F);
- (4) The fee required under 37 C.F.R. § 1.20(b).

Young-Ta Wu and Shiang-Jyh Chang were Not Joined as Co-Inventors through Error,
Without Any Deceptive Intent

Through clerical error and oversight, Young-Ta Wu and Shiang-Jyh Chang were not named as co-inventors and such oversight remained unnoticed by Young-Ta Wu and Shiang-Jyh Chang until late October, 2009, upon a review of the issued patent.

Rule 1.324 is remedial in nature and should be liberally construed, to ensure that errors as the one noted herein may be rectified. *Patterson v. Hauck*, 52 C.C.P.A. 987, 341 F.2d 131, 144 U.S.P.Q. (BNA) 481 (1965); *Application of Schmidt*, 48 C.C.P.A. 1140, 293 F.2d 274, 130 U.S.P.Q. (BNA) 404 (1961).

CONCLUSION

It is respectfully submitted that this Petition be granted, and Young-Ta Wu and Shiang-Jyh Chang be added as named co-inventors in U.S. Patent No. 7,539,797.

Dated: February 22, 2010

Respectfully Submitted,

/maryam imam /

Maryam Imam

Reg. No. 38190

ATTORNEY FOR APPLICANTS

95 S. Market Street, Suite 570

San Jose, CA 95113

(408) 271-8752

UNITED STATES PATENT AND TRADEMARK OFFICE

In re: U.S. Patent No. 7,539,797;

Inventors: Sam Nemazie, et al.

Atty. Docket No: SILICONSTOR-03US

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Alexandria, VA 22313-1450

APPENDIX A

VERIFIED STATEMENT OF FACTS BY
NAMED INVENTOR, SIAMACK NEMAZIE

Dear Sir:

I, Siamack Nemazie, declare as follows:

1. The inventions described and claimed in U.S. Patent No. 7,539,797 were developed in part by me, and, in part, by Andrew Hyonil Chong, Young-Ta Wu, and Shiang-Jyh Chang.
2. At the time I executed the application which matured into U.S. Patent No. 7,539,797, I attributed the invention exclusively to myself and Andrew Hyonil Chong without deceptive intent.
3. I have subsequently become aware that the contributions of Young-Ta Wu and Shiang-Jyh Chang are sufficient to make them co-inventors, with which I agree.

4. I hereby declare that all statements made herein are of my own knowledge and are true, and that all statements made on information and belief are believed to be true; and, further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: 12/10/2009

S. Nemazie
Siamack Nemazie

UNITED STATES PATENT AND TRADEMARK OFFICE

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APPENDIX B

VERIFIED STATEMENT OF FACTS BY
NAMED INVENTOR, ANDREW HYONIL CHONG

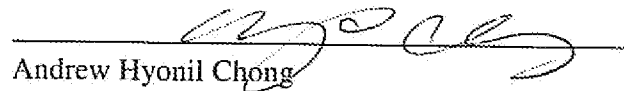
Dear Sir:

I, Andrew Hyonil Chong, declare as follows:

1. The inventions described and claimed in U.S. Patent No. 7,539,797 were developed in part by me, and, in part, by Siamack Nemazie, Young-Ta Wu, and Shiang-Jyh Chang.
2. At the time I executed the application which matured into U.S. Patent No. 7,539,797, I attributed the invention exclusively to myself and Siamack Nemazie without deceptive intent.
3. I have subsequently become aware that the contributions of Young-Ta Wu and Shiang-Jyh Chang are sufficient to make them co-inventors, with which I agree.

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Dated: 12/09/09


Andrew Hyonil Chong

UNITED STATES PATENT AND TRADEMARK OFFICE

In re: U.S. Patent No. 7,539,797;

Inventors: Sam Nemazie, et al.

Atty. Docket No: SILICONSTOR-03US

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APPENDIX C

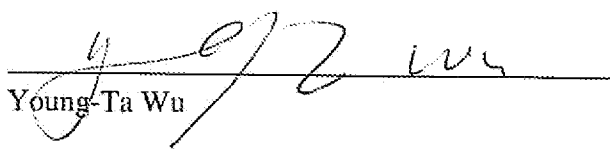
VERIFIED STATEMENT OF FACTS BY
UNNAMED INVENTOR, YOUNG-TA WU

Dear Sir:

I, Young-Ta Wu, declare as follows:

1. The inventions described and claimed in U.S. Patent No. 7,539,797 were developed in part by me, and, in part, by Siamack Nemazie, Andrew Hyonil Chong, and Shiang-Jyh Chang.
2. My failure to be named as an inventor in or execute the application which matured into U.S. Patent No. 7,539,797 was entirely without deceptive intent.
3. I hereby declare that all statements made herein are of my own knowledge and are true, and that all statements made on information and belief are believed to be true; and, further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: 12/12/2009


Young-Ta Wu

UNITED STATES PATENT AND TRADEMARK OFFICE

In re: U.S. Patent No. 7,539,797;

Inventors: Sam Nemazie, et al.

Atty. Docket No: SILICONSTOR-03US

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APPENDIX D

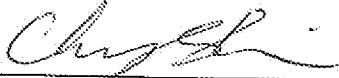
VERIFIED STATEMENT OF FACTS BY
UNNAMED INVENTOR, SHIANG-JYH CHANG

Dear Sir:

I, Shiang-Jyh Chang, declare as follows:

1. The inventions described and claimed in U.S. Patent No. 7,539,797 were developed in part by me, and, in part, by Siamack Nemazie, Andrew Hyonil Chong, and Young-Ta Wu.
2. My failure to be named as an inventor in or execute the application which matured into U.S. Patent No. 7,539,797 was entirely without deceptive intent.
3. I hereby declare that all statements made herein are of my own knowledge and are true, and that all statements made on information and belief are believed to be true; and, further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: 12-1-2009



Shiang-Jyh Chang

APPENDIX E

SUPPLEMENTAL DECLARATION, POWER OF ATTORNEY AND PETITION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed in U.S. Letters Patent No. 7,539,797, entitled "**ROUTE AWARE SERIAL ADVANCED TECHNOLOGY ATTACHMENT (SATA) SWITCH**", and issued on May 26, 2009.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) or U.S. provisional application(s) for patent or inventor's certificate listed below and have also identified below any foreign application or U.S. provisional application(s) for patent or inventor's certificate having a filing date before that of the application of which priority is claimed.

Prior Foreign/U.S. Provisional Application(s)

			Priority Claimed	
			<u>X</u>	
60/477,857	US	11 June, 2003	Yes	No
(Number)	(Country)	(Day, month, year filed)		
<hr/>			<hr/>	
(Number)	(Country)	(Day, month, year filed)	Yes	No

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)	Filing Date	(Status: Patented, pending, abandoned)
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And I hereby appoint the attorneys associated with **CUSTOMER NUMBER 77541**, as my attorneys with full power of substitution and revocation, to prosecute said application and to transact in connection therewith all business in the Patent and Trademark Office and before competent International Authorities.

Address all telephone calls to Maryam Imam at (408) 271-8752/3 and address all correspondence to:

Maryam Imam, Esq.
IPxLAW GROUP LLP
95 South Market Street, Suite 570
San Jose, California 95113

Wherefore I pray that Letters Patent be granted to me for the invention or discovery described and claimed in the foregoing specification and claims, and I hereby subscribe my name to the foregoing specification and claims, declaration, power of attorney, and this petition.

Full Name of First Inventor: Siamack Nemazie
Home Address: 1253 Quail Creek Circle, San Jose, California 95120
Post Office Address: SAME
Citizenship: U.S.A
Inventor's Signature: _____ Date: _____

S.N 12/10/2009

Full Name of Second Inventor: Andrew Hyonil Chong
Home Address: 7051 Anjou Creek Circle, San Jose, California 95120
Post Office Address: SAME
Citizenship: U.S.A
Inventor's Signature: _____ Date: _____

Full Name of Second Inventor: Young-Ta Wu
Home Address: 45101 Cougar Circle, Fremont, California 94539
Post Office Address: SAME
Citizenship: U.S.A
Inventor's Signature: _____ Date: _____

Full Name of Third Inventor: Shiang-Jyh Chang
Home Address: 1437 Bing Drive, San Jose, California 95129
Post Office Address: SAME
Citizenship: U.S.A
Inventor's Signature: _____ Date: _____

Full Name of First Inventor: Siamack Nemazie
Home Address: 27872 Via Corita Way, Los Altos, California 94022
Post Office Address: SAME
Citizenship: U.S.A
Inventor's Signature: *S. Nemazie* Date: 12/10/2009

APPENDIX E

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(Number)	(Country)	(Day, month, year filed)	<u>X</u> Yes	No
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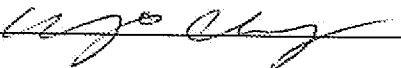
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IPxLAW GROUP LLP
95 South Market Street, Suite 570
San Jose, California 95113

Wherefore I pray that Letters Patent be granted to me for the invention or discovery described and claimed in the foregoing specification and claims, and I hereby subscribe my name to the foregoing specification and claims, declaration, power of attorney, and this petition.

Full Name of First Inventor: Siamack Nemazie
Home Address: 1253 Quail Creek Circle, San Jose, California 95120
Post Office Address: SAME
Citizenship: U.S.A
Inventor's Signature: _____ Date: _____

Full Name of Second Inventor: Andrew Hyonil Chong
Home Address: 7051 Anjou Creek Circle, San Jose, California 95120
Post Office Address: SAME
Citizenship: U.S.A
Inventor's Signature:  Date: 12/4/07

Full Name of Second Inventor: Young-Ta Wu
Home Address: 45101 Cougar Circle, Fremont, California 94539
Post Office Address: SAME
Citizenship: U.S.A
Inventor's Signature: _____ Date: _____

Full Name of Third Inventor: Shiang-Jyh Chang
Home Address: 1437 Bing Drive, San Jose, California 95129
Post Office Address: SAME
Citizenship: U.S.A
Inventor's Signature: _____ Date: _____

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			Yes	No
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And I hereby appoint the attorneys associated with **CUSTOMER NUMBER 77541**, as my attorneys with full power of substitution and revocation, to prosecute said application and to transact in connection therewith all business in the Patent and Trademark Office and before competent International Authorities.

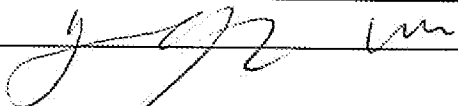
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Full Name of Second Inventor: Andrew Hyonil Chong
Home Address: 7051 Anjou Creek Circle, San Jose, California 95120
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Inventor's Signature:  Date: 12/2/2009

Full Name of Third Inventor: Shiang-Jyh Chang
Home Address: 1437 Bing Drive, San Jose, California 95129
Post Office Address: SAME
Citizenship: U.S.A
Inventor's Signature: _____ Date: _____

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(Number)	(Country)	(Day, month, year filed)	<u>X</u>	
			Yes	No
<hr/>				
(Number)	(Country)	(Day, month, year filed)	Yes	No

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

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Full Name of First Inventor: Siamack Nemazie
Home Address: 1253 Quail Creek Circle, San Jose, California 95120
Post Office Address: SAME
Citizenship: U.S.A
Inventor's Signature: _____ Date: _____

Full Name of Second Inventor: Andrew Hyonil Chong
Home Address: 7051 Anjou Creek Circle, San Jose, California 95120
Post Office Address: SAME
Citizenship: U.S.A
Inventor's Signature: _____ Date: _____

Full Name of Second Inventor: Young-Ta Wu
Home Address: 45101 Cougar Circle, Fremont, California 94539
Post Office Address: SAME
Citizenship: U.S.A
Inventor's Signature: _____ Date: _____

Full Name of Third Inventor: Shiang-Jyh Chang
Home Address: 1437 Bing Drive, San Jose, California 95129
Post Office Address: SAME
Citizenship: U.S.A
Inventor's Signature:  Date: 12/1/2009

UNITED STATES PATENT AND TRADEMARK OFFICE

In re: U.S. Patent No. 7,539,797;

Inventors: Sam Nemazie, et al. Atty. Docket No: SILICONSTOR-03US

Filing Date: 02/09/2004 Issued: May 26, 2009

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APPENDIX F

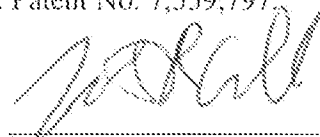
**CONSENT OF ASSIGNEE, LSI CORPORATION, TO ADD UNNAMED
CO-INVENTORS, YOUNG-TA WU AND SHIANG-JYH CHANG**

Dear Sir:

I, Tim Croll, on behalf of LSI Corporation, assignee of U.S. Patent No. 7,539,797, hereby consent to the addition of Young-Ta Wu and Shiang-Jyh Chang as named co-inventors to U.S. Patent No. 7,539,797.

Attached hereto, please find a signed statement under 37 C.F.R. § 3.73(b), as proof of LSI Corporation's ownership of U.S. Patent No. 7,539,797.

Dated: 8 FEB 2010



Tim Croll
Assistant Corporate Secretary
LSI Corporation
Reg. No. 36,771

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: LSI Corporation

Application No./Patent No.: 7,539,797

Filed/Issue Date: May 26, 2009

Titled: ROUTE AWARE SERIAL ADVANCED TECHNOLOGY ATTACHMENT (SATA) SWITCH

LSI Corporation, a Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc)

states that it is:

1. ☒ the assignee of the entire right, title, and interest in;
2. ☐ an assignee of less than the entire right, title, and interest in
(The extent (by percentage) of its ownership interest is _____ %); or
3. ☐ the assignee of an undivided interest in the entirety of (a complete assignment from one of the joint inventors was made)

the patent application/patent identified above, by virtue of either:

- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy therefore is attached.

OR

- B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: Sam Nemazie

To: SiliconStor, Inc.

The document was recorded in the United States Patent and Trademark Office at

Reel 014980, Frame 0660, or for which a copy thereof is attached.

2. From: SiliconStor, Inc.

To: LSI Corporation

The document was recorded in the United States Patent and Trademark Office at

Reel 019927, Frame 0098, or for which a copy thereof is attached

3. From: Andrew Hyonil Chong

To: LSI Corporation

The document was recorded in the United States Patent and Trademark Office at

Reel 022305, Frame 0122, or for which a copy thereof is attached.

- ☒ Additional documents in the chain of title are listed on a supplemental sheet(s).

- ☐ As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Tim Croll
Signature

8 FEB 2010
Date

Tim Croll

Asst. Corporate Secretary

Printed or Typed Name

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

SUPPLEMENTAL SHEET FOR STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: LSI Corporation

Application No./Patent No.: 7,539,797

Filed/Issue Date: May 26, 2009

Titled:

ROUTE AWARE SERIAL ADVANCED TECHNOLOGY ATTACHMENT (SATA) SWITCH

A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

4. From: Siarnack Nernazie To: LSI Corporation

The document was recorded in the United States Patent and Trademark Office at
Reel 023720 , Frame 0172 , or for which a copy thereof is attached.

5. From: Shiang-Jyh Chang To: LSI Corporation

The document was recorded in the United States Patent and Trademark Office at
Reel 023720 , Frame 0172 , or for which a copy thereof is attached.

6. From: Young-Ta Wu To: LSI Corporation

The document was recorded in the United States Patent and Trademark Office at
Reel 023720 , Frame 0172 , or for which a copy thereof is attached.

7. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____ , Frame _____ , or for which a copy thereof is attached.

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.



Signature

Tim Croll

Printed or Typed Name

8 FEB 2010

Date
(408) 433-7625
(719) 533-7969

Telephone Number

Assistant Corporate Secretary of LSI Corporation, Reg. No. 36,711

Title

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.